

## **REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

### **Status of Claims:**

No claims are currently being added.

Claims 1, 2, 5-8 and 16 are currently being amended.

Claims 13-15 are currently being canceled.

This amendment amends and cancels claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-12 and 16 are now pending in this application.

### **35 U.S.C. § 101 Rejection of Claim 16:**

In the Office Action, claim 16 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. By way of this amendment and reply, the preamble of claim 16 has been amended so that it now is directed to statutory subject matter.

### **Indefiniteness Rejection of Claim 1:**

In the Office Action, claim 1 was rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, as being indefinite, for the reasons set forth on page 2 of the Office Action. Claim 1 has been amended to address this indefiniteness rejection, whereby it is submitted that presently pending independent claim 1 now fully complies with 35 U.S.C. § 112, 2<sup>nd</sup> paragraph.

### **Claim Rejections – Prior Art:**

In the Office Action, claims 1, 2, 4-8 and 10-16 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0010614 to Arrowood; and claims 3 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Arrowood. These rejections are traversed with respect to presently pending claims 1-12 and 16, for at least the reasons given below.

In its rejection of claim 1, the Office Action asserts that paragraphs 0014, 0016, and 0110-0112 of Arrowood teach the features of searching job offer information registered

therein when dispatchable temporary worker information is transmitted from said dispatching terminal, and, if there is job offer information that matches said dispatchable temporary worker information, transmitting said dispatchable temporary worker information to said job offer terminal which has registered the matching job offer information. However, this assertion is incorrect. Namely, while Arrowood teaches a system that provides a client, e.g., a prospective employer, with candidate employees that meet the client's hiring criteria, there is no teaching or suggestion in Arrowood of checking previous job offer information requests made by prospective employers (whereby those job offer information requests could not be filled based on the current list of temporary workers stored in the system) when a new dispatchable temporary worker is registered in the system.

It is noted that paragraph 0014 of Arrowood states that "The database proactively seeks employee and client updates on a periodic basis as to availability and feedback on candidates in the field", whereby this disclosure falls short of the specific features recited in presently pending claim 1.

Accordingly, presently pending independent claim 1, as well as presently pending independent claims 5 and 7, are patentable over the teachings of Arrowood.

Furthermore, presently pending independent claims 1, 5 and 7 have been amended to recite the transmitting of evaluation information of a particular dispatchable temporary worker as output by said job offer terminal and as received by said dispatching information server, and to update the dispatchable temporary worker information for the particular dispatchable temporary worker as stored in a memory which also stores the dispatchable temporary worker information transmitted from said dispatching terminal. Such features provide a further basis for patentability of those claims over the teachings of Arrowood. Presently pending independent claim 16 recites similar features.

Accordingly, presently pending independent claims 1, 5, 7 and 16, as well as the presently pending dependent claims under rejection, are patentable over the teachings of Arrowood. For example, dependent claims 2, 6 and 8 recite that the evaluation information is provided along with the dispatchable temporary work information to subsequent job offer information requests output from the job offer terminal. These features provide an additional basis for patentability of those claims, beyond the reasons set forth above for their respective base claim.

**Conclusion:**

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date December 1, 2005

By Phillip J. Articola

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5407  
Facsimile: (202) 672-5399

David A. Blumenthal  
Registration No. 26,257

Phillip J. Articola  
Registration No. 38,819